

Wakimoto in view of Kobayashi, and further in view of U.S. Patent No. 6,111,356 to Roitman et al. (hereinafter "Roitman"). The rejection is respectfully traversed.

Claim 31 has been previously canceled and is no longer pending in this application.

The Office Action uses Kobayashi as the basis for a 102(e)/103 rejection. However, Applicants respectfully submit that this rejection is improper. Since the filing date of this application is March 23, 2000, this application qualifies as a patent application filed on or after November 29, 1999, and therefore qualifies for the 102(e)/103 exemption. Therefore, Kobayashi is disqualified as "prior art" under 102(e)/103 because the subject matter of the claimed invention came "where at the time the invention was made, owned by the same person and subject to an obligation of assignment to the same person." Further, the present application has a priority date of July 24, 1998 based on JP 10-210012. This priority date antedates the March 11, 1999 publication date of the PCT application. A verified English-language translation of JP 10-210012 is attached.

For at least these reasons, withdrawal of the rejections under 35 U.S.C. §103(a) is respectfully requested.

II. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 15, 17, 19-28, 30, 32-38 and 40 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned representative at the telephone number set forth below.

Respectfully submitted,



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JAO:HNS/djb

Attachment: Verified English-Language
Translation of JP 10-210012

Date: February 11, 2004

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